

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

1.-39. (Cancelled)

40. (Currently Amended) A mask assembly comprising:

a frame,  
a cushion; and  
headgear,

wherein at least one of the frame, cushion and the headgear includes ~~a usage indicator~~ an aging characteristic to indicate a usage condition of the mask assembly, wherein the ~~usage indicator~~ aging characteristic comprises at least a portion of the frame that is made of a material that exhibits stress whitening after repeated movement, wherein the stress whitening takes the form of a warning signal and wherein the aging characteristic is exhibited after no more than 7 days of usage.

41. (Cancelled)

42. (Cancelled)

43. (Currently Amended) A mask assembly according to claim ~~[[42]]~~ 40, wherein the warning signal forms a readable message.

44. (Currently Amended) A mask assembly according to claim 40, wherein the ~~usage~~  
~~indicator~~ aging characteristic provides an indication of over usage after no more than 14 days of  
usage.

45. (Cancelled)

46. (Currently Amended) A mask assembly comprising:  
a frame;  
a cushion provided to the frame;  
a cushion clip provided to secure the cushion between the cushion clip and the frame via  
a first connection; and  
a swivel elbow provided to the frame via a second connection,  
wherein at least one of the first and second connections is provided via a one-way snap  
which will deform and/or break upon attempt to disassemble to render the mask unusable and the  
first connection includes a rod provided to the cushion clip which passes through at least one of  
the cushion and the frame, wherein the rod includes an enlarged head portion which allows  
assembly of the cushion clip to the frame, but substantially prevents removal of the cushion clip  
from the frame.

47. (Cancelled)

48. (Previously Presented) A mask assembly according to claim 46, wherein the second

connection comprises an undercut provided on the frame and at least one tab member provided on a portion of the swivel elbow.

49.-61. (Cancelled)

62. (Currently Amended) A mask assembly ~~according to claim 58~~ comprising:  
a frame;  
an elbow provided to the frame and including an inlet conduit; and  
a valve member provided at the interference of the elbow in the frame, the valve member being  
configured to allow breathing of ambient air and to prevent back flow of gas towards the inlet  
conduit of the elbow in an unpressurized state, wherein the valve member creates an audible indicator during operation in a pressurized state.

63. (Original) A mask assembly according to claim 62, wherein the valve member creates the audible indicator upon proper assembly.

64. (Original) A mask assembly according to claim 62, wherein the valve member creates the audible indicator upon improper assembly.

65. (Currently Amended) A mask assembly ~~according to claim 58~~ comprising:  
a frame;  
an elbow provided to the frame and including an inlet conduit; and  
a valve member provided at the interference of the elbow in the frame, the valve member being

configured to allow breathing of ambient air and to prevent back flow of gas towards the inlet conduit of the elbow in an unpressurized state, wherein the elbow includes a center tube portion and an inner tube suspended from a dome portion of the elbow.

66. (Original) A mask assembly according to claim 65, wherein the inner tube communicates with the atmosphere via a profiled end that is smaller towards atmosphere.

67. (Previously Presented) A mask assembly according to claim 65, wherein the center tube portion includes an aperture near its connection to the dome portion and is generally aligned with the inlet conduit.

68. (Previously Presented) A mask assembly according to claim 40, wherein the material is polypropylene, polyethylene, or PETE.

69. (Previously Presented) A mask assembly according to claim 40, wherein the frame has a wall thickness of approximately 0.25 - 1 mm.

70. (Previously Presented) A mask assembly according to claim 69, wherein the frame has a wall thickness of about 0.5 mm.

71. (Previously Presented) A mask assembly according to claim 40, wherein an intensity of the stress whitening and/or an area of the frame that exhibits stress whitening increases after repeated movement.